

# **Coalition For A Safe Environment**

## **GOODS MOVEMENT & PORTS**

### **Meeting Sponsors**

**Secretary Business, Transportation & Housing Agency  
Sunne Wright McPeak**

**Secretary Environmental Protection Agency  
Alan C. Lloyd, Ph.D.**

**Thursday January 27, 2005  
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## **AN ENVIRONMENTAL JUSTICE COMMUNITY ORGANIZATION**

### **PRESENTATION**

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## Part I EJ Community Perspective on Goods Movement & Ports

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## Part I EJ Community Perspective on Goods Movement & Ports

### 1. Origin of Goods Movement in California

- a. Indigenous people were the original inhabitants of all of California's coasts, bays and coves
- b. Indigenous people were the first to move goods throughout California, the West Coast, US and the Americas
- c. Indigenous people established all land trade routes in the US and the America's before the arrival of any European
- d. Indigenous people established the first Ports in the US and the America's before the arrival of any European
- e. Indigenous and poor people have always lived in Port Communities for fishing and subsistence

## Part I EJ Community Perspective on Goods Movement & Ports

### 2. International Trade Gateway Locations in EJ Communities

- a. Environmental Justice Communities did not move into Ports, we have always existed there
- b. EJ Communities will never leave because it is our home and right
- c. EJ Communities did not cause the Environmental Contamination at all Ports, Port communities, in Los Angeles and the South Coast Basin
- d. EJ Communities did not cause the current Health Crisis in EJ communities, in Los Angeles, the South Coast Basin and State of California
- e. EJ Communities and the majority of the public have intentionally been left out of the Port and Trade growth planning by industry with Government support

## Part I EJ Community Perspective on Goods Movement & Ports

### 3. Public Policy & Program Failures

- a. It has only been recently in the last 10 years that public participation in policy making and project proposal decisions has been invited
- b. 99% of public input via public comment has been ignored by politically appointed Port Board of Harbor Commissioners, CALTRANS, Alameda Corridor Transportation Authority, the Southern California Association of Governments, Elected City Officials, the US Army Corps of Engineers and every Governmental Agency
- c. Failure to include local EJ community representatives As Harbor Commissioners, City Planning Commissioners, and US Federal Agency heads, staff etc. deprive EJ Communities an equal voice in decision making
- d. California and EJ Communities would not be in the current crisis if public recommendations, alternatives, & mitigation were incorporated in all decision making

## Part I EJ Community Perspective on Goods Movement & Ports

### 4. Hidden & Ignored Public Subsidized Costs

- a. Public Health Care & Premature Death due to Air Pollution ( Lung Cancer, Cardiopulmonary Disease, Asthma etc.), increasing Insurance & Prescriptions
- b. Public Health Care & Premature Death due to Insect Diseases ( West Nile Virus, Malaria )
- c. Public Health Care & Premature Death due to Exposure to Toxic, Carcinogenic and Hazardous Chemicals in ships, containers, storage tanks, pipelines, paints, coatings, warehouse facilities, insulation, freon
- d. Public Health Care & Premature Death due to Contaminated Public Drinking Water Supplies, Springs, Underground Aquifers, Oceans, Rivers & Lakes from air, land & water pollution

- e. Public Health Care & Premature Death due to Contaminated Ocean Aquatic Fish, Shell Fish and Plant Food Supplies
- f. Public Health Care & Premature Death due to Exposure To Toxic and Carcinogenic Chemicals in Imported Products, Medicines & Packaging
- g. Public Transportation Infrastructure – Maintenance, Repair, Expansion & Replacement
- h. Public Transportation Related Increases in Accident Repairs, Replacement, Automobile & Health Insurance Premiums, Travel Time Lost Work Hours, Child Care Fees
- i. Public Utilities ( Electricity, Gas & Water ) Maintenance, Repair, Expansion & Replacement
- j. Agricultural Crop Loss & Damage do to Foreign Insect Infestation ( Mediterranean Fruit Fly )

- k. Lost Annual Retail Sales Tax From Out of State Shipped Products
- l. Lost Annual License & Tax Revenues From Closed US Manufacturers
- m. Lost Annual Income & Retail Taxes From Displaced US Workers
- n. Wetlands, Wildlife & Natural Resources Loss, Damage, Degradation & Restoration
- o. Increasing Homeland Security Costs & Off Port Inspection Facilities & Equipment
- p. Environmental Laws Enforcement
- q. Local City & County Public Police Enforcement - Illegal Community & Residential Driving, Parking, Dumping, Port & Tenant Business Activities



- r. California Highway Patrol (CHP) Police Enforcement  
Driver, Truck & Trailer License, Insurance, Weight &  
Safety Inspection
- s. Lost Public School Funding do to School Absences  
& Tardiness
- t. Increased US Customs Administration, Enforcement  
& Inspection Costs
- u. Increased US Dept. of Agriculture Administration,  
Enforcement & Inspection Costs
- v. Increased Public Waste Disposal – Sanitation &  
Land Fill Facility Maintenance, Repair, Expansion  
& Replacement
- w. Increased Public & Private Property Damage,  
Insurance Premiums & Deductibles
- x. Community Degradation & Blight

## Part II Environmental Injustice In Port Communities

### 1. EJ Community Impacts

- a. Highest Death Rates
- b. Highest Cancer Rates
- c. Highest Respiratory Problem Health Rates
- d. Largest Variety of Health Illnesses & Diseases
- e. Highest Health Care Costs
- f. Highest Rate of Lack of Health Services
- g. Highest Negative Environmental Impacts
- h. Highest Exposure to Toxic, Carcinogenic & Hazardous Chemicals

- i. Highest Rate of Missed Days of Work
- j. Highest Rate of Missed Days of School
- k. Highest Blight Communities
- l. Lowest Community Redevelopment
- m. Lowest Rate of Port Related Policing
- n. Highest Rate of Illegal Port Related Businesses & Activities
- o. Highest Rate of Transportation Infrastructure Destruction
- p. Highest Rate of Illegal Port Traffic in Residential Community
- q. Highest Rate of Illegal Container Storage in Residential Communities

## Part II Environmental Injustice In Port Communities

### 2. Causes of Negative Impacts

- a. Failure to Appoint Significant EJ Community Representation on Port Board of Harbor Commissioners
- b. Failure of Governor to Appoint EJ Community Representation on Commissions, Task Forces, Committees and Sr. Level Management Positions
- c. Failure of Ports, Cities, Counties, State and Federal Agencies to Hire EJ Community Representation for Sr. Management & Staff Positions
- d. Failure to Allow Sufficient Public Notice and Public Comment Periods – 30 Days is Inadequate, EJ Community Has Repeatedly Requested 90 Days

- e. Ports, Cities, Counties, State and federal Governmental Agencies Have Ignored EJ Community Public Comments, Recommendations, Solutions, Alternatives and Mitigation Requests
- f. Ports, Cities, Counties, State, Federal Governmental Agencies & the US Army Corps of Engineers Blatantly Violate CEQA and NEPA on Every Project Proposal
- g. Ports, Cities, Counties, States, Federal Governmental Agencies & the US Army Corps of Engineers Fail to Mitigate 99% of all EJ Community Environmental And Public Health Impacts
- h. Ports, Cities, Counties, States, Federal Governmental Agencies & the US Army Corps of Engineers Proposed & Acted Upon Mitigation in EJ Communities is Insignificant & Fails to Eliminate or Significantly Reduce Environmental and Public Health Impacts

- i. Ports, Cities, Counties, States, Federal Governmental Agencies & the US Army Corps of Engineers Collude With Each Other and Industry To Deprive EJ Communities and the Public of Their Rights
- j. Ports and Cities Illegally Actively Solicit Community Support From Those it has Helped Financially, Through Gifts, Services Support, Waivered Fees, Waivered Insurance Requirements, Free Buildings and Office Space to Fight EJ Community Activists and Organizations on Port, Transportation, Redevelopment, Environmental, Public Health Issues and During Public Comment Periods
- k. Off Port Property Business Activities Located in EJ Communities such as Container Storage Facilities and Dangerous Container Inspection Facilities

## Part II Environmental Injustice In Port Communities

3. Examples of EJ Community Requested Port Mitigation
  - a. CFASE Has Submitted 58 Mitigation Recommendations
  - b. Local Community Public Health Survey
  - c. Local Mortality Study
  - d. Local Morbidity Study
  - e. Establishment of a Public Health Care Fund
  - f. Establishment of an Environmental Clean-up Fund
  - g. The Relocation of all Toxic, Carcinogenic & Hazardous Chemicals Away From The Bordering Communities

- h. Restoration of a Natural Wetlands at Port of Los Angeles
- i. Establishment of an Ocean Water Reclamation Facility
- j. Container Inspection, Decontamination and Sanitation Prior To Distribution Throughout the Region and Storage
- k. Public Emergency & Disaster Response Plan
- l. Regional Underground Transportation Tunnel System
- m. Change all Diesel Fuel Trains to Electric
- n. Incorporation of Solar Energy at Port Facilities
- o. Hiring of Additional City and Port Police
- p. Construction Materials Hazardous Waste Disposal Plan
- q. Port & Tenant Terminal Greening Plan



- r. Ship & Berth Electrification Plan & Lease Condition
- s. Public Schools Air Purification System Donation Plan
- t. Public Schools Noise Abatement Donation Plan
- u. Community Blight Elimination Plan
- v. Cumulative Impact Study of All Sources
- w. Creation of an EJ Community Task Force
- x. Port Join the California Climate Action Registry
- y. Establish a Reconstituted & Contaminated Dredged Materials Plan
- z. Require Low Sulfur Diesel Fuel & Biodiesel Fuel

## Part II Environmental Injustice In Port Communities

4. EJ Communities Current Political Position
  - a. Moratorium on all Port Expansion Projects
  - b. Submit Public Comments Noting All Deficiencies on NOP/NOI/EIR/EIS/DEIR/DEIS/EIR/EIS/SEIR/SEIS
  - c. Support CEQA Lawsuits Against Ports/Cities
  - d. Support NEPA Lawsuits Against U.S. Army Corps of Engineers
  - e. Support & File Continuous Complaints With All Governmental Agencies

- f. Organize & Educate EJ Communities & Public Of Port, Goods Movement & Transportation Corridors Negative Environmental, Public Health & Economic Impacts
- g. Demand a 10 Year Plan to Reduce Ports and Goods Movement Transportation Corridors Air, Land & Water Pollution by 90%
- h. Demand Ports to Mitigate all Negative Impacts
- i. No Net Increase Policy is Unacceptable and Based on the Port of Los Angeles Since The City's Mayor Announcement Air Pollution Has Increased 7% per year or over 21% as of Today
- j. Investigate Filing Complaints with the United Nations & Other US Signed Multi-Country Agreements and Treaties Against The US Government and Agencies for Failure to Comply With International Environmental Agreements and Treaties

## Part III EJ Community Recommendations

1. Policy & Program Recommendations
  - a. Environmental & Transportation Agency Commissioners not be Political Appointments
  - b. Port, Environmental & Transportation Agencies Have EJ Community Representation on Senior Management and Staff
  - c. All Ports, Environmental & Transportation Agencies Have Community Advisory Committees
  - d. All Governmental Agencies Establish a Standard List of Mandatory Mitigation For Every Type of Environmental, Public Health and Economic Negative Impact

- e. All Governmental Agencies Establish a Standard List of Mandatory Significant Fines, Sanctions & Penalties That Will Guarantee 99% Compliance
- f. All Governmental Agencies Require a Mandatory Public Health Survey for Every Project Proposal to Establish a Baseline and Every Five Years Thereafter
- g. All Governmental Agencies Eliminate all Business Permit, License, Public Hearing and Environmental Compliance Waivers, Exemptions and Memorandums of Understanding
- h. All Governmental Agencies Eliminate all Pollution Credit Programs and Prohibit Credit Brokers From Selling, Buying, Exchanging, Transferring and Trading Credits to Avoid Business or Project Compliance & Direct Local Mitigation

- i. All Governmental Environmental Agencies Establish Real Time Monitoring, Measurement, Recording and Reporting of Governmental & Private Business Environmental Status, Compliance & Accidents. It is Not the Publics Responsibility to Report Violations or Monitor Business Operations 24/7
- j. All Governmental Business and Construction Contracts and Leases be Awarded to the Company Which Offers The Best Environmental Care, Reduction, Restoration, Compliance And Alternative Innovations Plan
- k. All Governmental Agencies Prohibit the Importation of any Foreign Medicines, Foods, Products, Components and Packaging Containing Toxic and Carcinogenic Chemicals
- l. All Governmental Agencies Prohibit US Companies From Exporting and Selling Known Toxic and Carcinogenic Medicines, Foods, Products, Components, Packaging, Chemicals to Third World Countries

## Part III EJ Community Recommendations

### 2. How to Generate Long Term Revenues

#### a. 1% Tax or Fee on all Imported Products

ie. Port of Los Angeles & Port of Long Beach  
\$ 300 Billion Annually In Goods Movement  
 $\$ 300 \text{ Billion} \times 1\% = \$ 3 \text{ Billion In Revenues}$

#### b. 1% Retail Sales Tax or Fee on Imported Items

ie. Port of Los Angeles & Port of Long Beach  
\$ 300 Billion Annually In Goods Movement  
 $\$ 300 \text{ Billion} \times 50\% \text{ ( 50\% Out of State Shipments )}$   
 $\$ 150 \text{ Billion} \times 100\% \text{ ( Conservative Mark-up )}$   
 $\$ 300 \text{ Billion} \times 1\% = \$ 3 \text{ Billion In Revenues}$

c. Rationale: If the consumer is driving market demand, let them and the entire supply, distribution and retail chain pay for the negative environmental, public health care, economic and transportation impacts not the general public

## Part III EJ Community Recommendations

### 3. Where to Invest Revenue Funds

- a. Education
- b. Environmental Mitigation
- c. Environmental Enforcement & Clean-up
- d. Public Health Care
- e. Public Health Surveys
- f. Public Health Research & Education
- g. Transportation Maintenance, Repair, Expansion
- h. Alternative Transportation Infrastructure
- i. Alternative Fuels & Renewable Energy
- j. New Technologies R & D
- k. Job Training in New Technologies
- l. Reimbursement of City, County & State Tax Revenues